

Honolulu, Hawaii

March 1, 2012

RE: H.B. No. 2679
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2679 entitled:

"A BILL FOR AN ACT RELATING TO ANIMAL CRUELTY,"

begs leave to report as follows:

The purpose of this measure is to add equines to those animals that may be subject to impoundment or forfeiture in the course of an animal cruelty case.

The Department of the Prosecuting Attorney of the City and County of Honolulu, Hawaiian Humane Society, Humane Society of the United States, Maui Humane Society, and a plethora of concerned individuals testified in support of this measure.

Your Committee has amended this measure by:

- (1) Replacing the term "equine" with "equine animal" to conform with the style of existing law;
- (2) Adding the term "equine animal" to section 711-1109.1, Hawaii Revised Statutes, which authorizes law enforcement to enter premises where there is probable cause to believe certain animal cruelty offenses are occurring in order to impound or provide care to a pet animal;



- (3) Replacing the term "shall" with "may" as it relates to the award of attorney's fees and costs as restitution where the defendant has been convicted;
- (4) Clarifying the term "pet animal or equine animal" includes offspring born to those impounded pet animals or equine animals during their impoundment that were pregnant at the time of rescue;
- (5) Inserting a savings clause;
- (6) Changing the effective date to January 7, 2009, to encourage further discussion; and
- (7) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2679, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2679, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,

Karl Wood for

GILBERT KEITH-AGARAN, Chair



